

GRISIA
ORIGINALUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCHE MASTER FUND, L.P.,

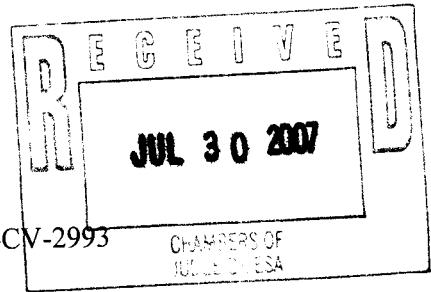
Plaintiff,

-against-

XE-R, LLC,

Defendant.

ECF CASE

Civil Action No. 07-CV-2993
(TPG)(AJP)**STIPULATION OF DISMISSAL**

WHEREAS counsel for the Plaintiff has determined that complete diversity does not

exist among the parties and thus that this Court lacks subject matter jurisdiction; and

WHEREAS, at the request of Plaintiff's counsel, counsel for the Defendant has agreed to enter into this stipulation dismissing the above-entitled action without prejudice;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, that the above-entitled action be and hereby is dismissed without prejudice for lack of subject matter jurisdiction, with each party to bear its own costs.

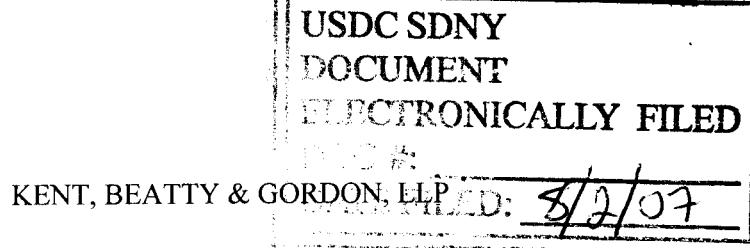
Dated: New York, New York
July 25, 2007QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

By:



Peter Calamari (PC-3694)
Kevin S. Reed (KR-5386)
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(212) 849-7000

Attorneys for Plaintiff Arche Master Fund, L.P.



By:

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425 Park Avenue, The Penthouse
New York, NY 10022
(212) 421-4300

Attorneys for Defendant XE-R, LLC

SO ORDERED THIS ____ DAY OF JULY, 2007:

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCHE MASTER FUND, L.P.,

Plaintiff,

-against-

XE-R, LLC,

Defendant.

ECF CASE

Civil Action No. 07-CV-2993
(TPG)(AJP)

STIPULATION OF DISMISSAL

WHEREAS counsel for the Plaintiff has determined that complete diversity does not exist among the parties and thus that this Court lacks subject matter jurisdiction; and

WHEREAS, at the request of Plaintiff's counsel, counsel for the Defendant has agreed to enter into this stipulation dismissing the above-entitled action without prejudice;

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Dated: New York, New York
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HEDGES, LLP

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Attorneys for Defendant XE-R, LLC

SO ORDERED THIS ____ DAY OF JULY, 2007:

George B. Daniels
UNITED STATES DISTRICT JUDGE

AUG 2 2007

HON. GEORGE B. DANIELS
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